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LEGISLATIVE HISTORY

Public Law 166--81st Congress

Chapter 307--1st Session

H. R. 3717

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ANIMAL QUARANTINE. Repeals Public Law 522 - 79th Congress which established the Swan Island Animal-quarantine Station.

INDEX AND SUMMARY OF HISTORY ON H. R. 3717.

February 24, 1949	H. J. Res. 177 was introduced by Rep. Bramblett and was referred to the House Committee on Agriculture. Print of the resolution.
February 28, 1949	S. 1105 was introduced by Senator Malone and was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as introduced.
March 22, 1949	H. R. 3717 was introduced by Rep. Worley and was referred to the House Committee on Agriculture. Print of the bill as introduced.
April 6, 1949	Hearings: House, H. R. 3717 and H. J. Res. 177.
April 26, 1949	House Committee reported H. R. 3717 without amendment. House Report 480. Print of the bill as reported.
May 2, 1949	House passed H. R. 3717 as reported.
May 3, 1949	Print of the bill as referred to the Senate Committee on Agriculture and Forestry.
June 27, 1949	Senate Committee reported H. R. 3717 without amendment. Senate Report 570. Print of the bill as reported.
July 6, 1949	Senate passed H. R. 3717 as reported.
July 13, 1949	Approved. Public Law 166.

81st CONGRESS
1st Session

H. J. RES. 177

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1949

Mr. BRAMBLETT introduced the following joint resolution; which was referred to the Committee on Agriculture

JOINT RESOLUTION

To repeal the joint resolution of July 24, 1946.

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That the joint resolution entitled "Joint resolution to pro-
- 4 vide for the establishment of an international animal quar-
- 5 antine station on Swan Island, and to permit the entry
- 6 therein of animals from any country and the subsequent
- 7 importation of such animals into other parts of the United
- 8 States, and for other purposes", approved July 24, 1946
- 9 (60 Stat. 633), is repealed.

81ST CONGRESS
1ST SESSION

H. J. RES. 177

JOINT RESOLUTION

To repeal the joint resolution of July 24, 1946.

By Mr. BRAMBLETT

FEBRUARY 24, 1949

Referred to the Committee on Agriculture

S. 1105

IN THE SENATE OF THE UNITED STATES

FEBRUARY 28 (legislative day, FEBRUARY 21), 1949

Mr. MALONE introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To repeal the joint resolution of July 24, 1946.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the joint resolution entitled "Joint resolution to pro-
4 vide for the establishment of an international animal quar-
5 antine station on Swan Island, and to permit the entry
6 therein of animals from any country and the subsequent im-
7 portation of such animals into other parts of the United
8 States, and for other purposes", approved July 24, 1946
9 (60 Stat. 633), is repealed.

A BILL

To repeal the joint resolution of July 24, 1946.

By Mr. MALONE

FEBRUARY 28 (legislative day, FEBRUARY 21), 1949
Read twice and referred to the Committee on
Agriculture and Forestry

81ST CONGRESS
1ST SESSION

H. R. 3717

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1949

Mr. WORLEY introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of July 24, 1946 (60 Stat. 633), author-
4 izing the Secretary of Agriculture to establish and maintain
5 on Swan Island an international animal quarantine station,
6 is hereby repealed.

81ST CONGRESS
1ST SESSION

H. R. 3717

A BILL

To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station.

By Mr. WORLEY

MARCH 22, 1949

Referred to the Committee on Agriculture

SWAN ISLAND ANIMAL QUARANTINE STATION

HEARINGS
BEFORE A
SUBCOMMITTEE OF
THE COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
EIGHTY-FIRST CONGRESS
FIRST SESSION
ON
H. R. 3717 and H. J. Res. 177

APRIL 6, 1949

Printed for the use of the Committee on Agriculture

Serial L



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1949

SUBCOMMITTEE ON FOOT AND MOUTH DISEASE

EUGENE WÖRLEY, Texas, *Chairman*

WALTER K. GRANGER, Utah

SID SIMPSON, Illinois

JOHN L. McMILLAN, South Carolina

ERNEST K. BRAMBLETT, California

MABEL C. DOWNEY, *Clerk*

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SWAN ISLAND ANIMAL QUARANTINE STATION

WEDNESDAY, APRIL 6, 1949

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
SUBCOMMITTEE ON FOOT-AND-MOUTH DISEASE,
Washington, D. C.

Mr. WORLEY. The committee will be in order.

The committee has met this morning for the purpose of considering H. R. 3717, which will be inserted at this point.
(The bill referred to is as follows:)

[H. R. 3717, 81st Cong., 1st sess.]

A BILL To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 24, 1946 (60 Stat. 633), authorizing the Secretary of Agriculture to establish and maintain on Swan Island an international animal quarantine station, is hereby repealed.

The gentleman from California, Mr. Bramblett, has introduced a similar measure, House Joint Resolution 177, which will likewise go in the record at this point.

(The resolution referred to is as follows:)

[H. J. Res. 177, 81st Cong., 1st sess.]

JOINT RESOLUTION To repeal the joint resolution of July 24, 1946

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "Joint resolution to provide for the establishment of an international animal quarantine station on Swan Island, and to permit the entry therein of animals from any country and the subsequent importation of such animals into other parts of the United States, and for other purposes", approved July 24, 1946 (60 Stat. 633), is repealed.

The purpose of both pieces of legislation is to repeal the authority of the Secretary of Agriculture to establish and maintain on Swan Island an international animal quarantine station from countries in which foot-and-mouth disease exists. The authorizing act of July 24, 1946, relating to the establishment of the Swan Island animal quarantine station was enacted for reasons which at that time were considered sound. With the passing of time, however, the wisdom of such action is very much in doubt.

The Chair believes that a majority of the people who are familiar with the details of the entire foot-and-mouth disease program are in accord that this authority granted to the Secretary of Agriculture should be repealed. The committee has asked the Department of Agriculture for a report of its views on H. R. 3717.

It is my understanding a representative from the Department of Agriculture is here at this time, and if the witness from the Department will please come forward, we will be glad to hear from you.

**STATEMENT OF DR. B. T. SIMMS, BUREAU OF ANIMAL INDUSTRY,
UNITED STATES DEPARTMENT OF AGRICULTURE**

Dr. SIMMS. Mr. Chairman, I have with me a copy of the letter which the Secretary addressed to Hon. Elmer Thomas, chairman, Committee on Agriculture and Forestry, United States Senate, concerning this. I understand it has not cleared the Bureau of the Budget as yet, so I don't think you have received a copy, but perhaps it would be just as well for me to give the Secretary's letter to you, or at least the part that applies directly to this.

Mr. WORLEY. Doctor, if this will save money, I don't see how the Bureau of the Budget could possibly object, do you?

Dr. SIMMS. We don't think there will be any objection by the Bureau of the Budget. That is our personal opinion on it. The Secretary's letter discusses the background.

Mr. WORLEY. If you will yield a moment, Doctor, I understand that the Bureau of the Budget has approved this report; is that correct?

**STATEMENT OF DR. KARL R. SAPP, OFFICE OF BUDGET AND
FINANCE, UNITED STATES DEPARTMENT OF AGRICULTURE**

Dr. SAPP. Yes, sir; that cleared the Budget yesterday afternoon.

Mr. WORLEY. Will you identify yourself for the record?

Dr. SAPP. Yes; I am Karl R. Sapp, Office of Budget and Finance, Department of Agriculture.

Mr. WORLEY. Will you please proceed, Dr. Simms?

Dr. SIMMS. I think it will possibly save time if we do not read the the entire letter because the first part of it is merely background.

Mr. WORLEY. If there is no objection, we will insert the letter of the Secretary at this point.

(The letter referred to is as follows:)

Hon. ELMER THOMAS,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR: This is in reply to your request of March 3, 1949, for a report on S. 1105, a bill "to repeal the joint resolution on July 24, 1946."

The joint resolution of July 24, 1946 (Public Law 522) provided for the establishment of an international animal quarantine station on Swan Island, permitted entry therein of animals from any country, and, notwithstanding the provisions of any other law, permitted the subsequent importation of such animals into other parts of the United States subject to regulations to be prescribed by this Department. The laws affected by this legislation are the act of August 30, 1890, as amended, which provides authority to inspect imported animals, to quarantine them as required, or to suspend importations in order to exclude dangerous animal diseases, and section 306 of the Tariff Act of 1930 which prohibits the importation of certain livestock and products from countries where foot-and-mouth disease or rinderpest exists.

The original concept of an international animal quarantine station was to afford the United States greater protection against foot-and-mouth disease by providing officially controlled facilities whereby neighboring countries to the south could import breeding stock with comparative safety from countries where the disease exists. Mexico and the Central American countries were then free of foot-and-mouth disease. From time to time it appeared that certain livestock interests of those countries desired to import cattle from countries where foot-and-mouth disease existed. Such importations have occurred from time to time. By providing an international quarantine station as a means for control of the importations it was considered that the likelihood of introduction of the disease to

these neighboring countries would be lessened, thereby lessening the danger to the United States.

However, when legislation was introduced in the Congress on June 7, 1946 (H. J. Res. 364), it contained provisions beyond the original purpose. It included language which would permit the importation, through the Swan Island quarantine station into the United States, of animals from countries where foot-and-mouth disease or rinderpest exists, notwithstanding the provisions of any other law. During the course of committee hearings, officials of this Department affirmed the desirability of strengthening our protection against foot-and-mouth disease by assisting the countries to the south.

Since enactment of the legislation, facilities and equipment have been provided at a total cost of slightly more than \$85,000. Following the installation of facilities, regulations to govern the operation of the station were prepared and a notice of intention to regulate was issued in the Federal Register for December 7, 1948. Interested persons were given 30 days (later extended to 60 days) within which to submit written data, views or arguments concerning the proposed regulations. The Department received many protests against the proposed use of the quarantine station. These protests came not only from well-recognized livestock associations but also from many State livestock sanitary officials and Members of both Houses of Congress. In general, the protests were against the use of the quarantine station to bring cattle, sheep, swine, or goats into the United States from countries where foot-and-mouth disease or rinderpest exists.

As such use is specifically provided for by the act of July 24, 1946, these protests must be regarded as being directed against the enabling legislation rather than against the form of the regulations which were adapted to the law as passed by the Congress.

Other comment favored such drastic revisions in the proposed regulations as to make the intended use of the quarantine station impracticable. A few correspondents favored issuance of the regulations as drawn. The general effect was to place the Department in a difficult position as it appeared that any action to carry out the intent and purpose of the law would be contrary to the preponderance of informed public opinion which had been brought to our attention.

The following recommendation received February 17, 1949, from the Department's Industry Advisory Committee on Foot-and-Mouth Disease is representative of much of the comment about the quarantine station:

"On July 24, 1946, there was approved Public Law 522, Seventy-ninth Congress. It provided for the installation of an animal quarantine station on Swan Island. Since this enactment, the serious livestock malady known as foot-and-mouth disease has broken out in Mexico and it has been necessary for the United States to assist Mexico with large appropriations, equipment, and manpower. It is generally believed that the disease invaded Mexico through a quarantine island off the coast of Mexico. There is no evidence to indicate that the well-being of our economy would suffer if we did not import animals from affected countries and there is every indication to lead us to believe that great disaster can rock our economy if we do import such animals and thereby permit an invasion of foot-and-mouth disease. The present Mexican situation should be sufficient warning of the ineffectiveness of a quarantine island. It is the recommendation of this committee that Public Law 522, Seventy-ninth Congress, be repealed. We also recommend that in the interest of economy the facilities on Swan Island be put into use by some agency of our Government needing such facilities."

The Department recommends clarification of the present situation through congressional action. Should Congress determine to repeal the joint resolution of July 24, 1946, which authorized the Swan Island quarantine station, disposition will need to be made of the temporary facilities erected there. They are on land leased at \$200 per annum. The lease terminates June 30, 1949, unless renewed prior to May 31, 1949. It provides that the facilities erected thereon may be removed at any time prior to termination. If the lease is terminated June 30, 1949, the facilities would obviously revert to the owner of the land unless renewed prior to that time. It seems that there would be no difficulty in renewing the lease under general appropriation authority of the Bureau of Animal Industry if it is not desired to abandon the facilities but to hold the lease until June 30, 1950, in order that there may be opportunity for any Federal agencies desiring these facilities to take title to them and to move them from the island. This would involve expenses for care and maintenance until disposal.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

_____, *Secretary.*

Dr. SIMMS. Yes; and at the bottom of the second page, the Secretary stated as follows:

The following recommendation received February 17, 1949, from the Department's Industry Advisory Committee on Foot-and-Mouth Disease is representative of much of the comment about the quarantine station:

"On July 24, 1946, there was approved Public Law 522, Seventy-ninth Congress. It provided for the installation of an animal quarantine station on Swan Island. Since this enactment, the serious livestock malady known as foot-and-mouth disease has broken out in Mexico and it has been necessary for the United States to assist Mexico with large appropriations, equipment, and manpower. It is generally believed that the disease invaded Mexico through a quarantine island off the coast of Mexico. There is no evidence to indicate that the well-being of our economy would suffer if we did not import animals from affected countries and there is every indication to lead us to believe that great disaster can rock our economy if we do import such animals and thereby permit an invasion of foot-and-mouth disease. The present Mexican situation should be sufficient warning of the ineffectiveness of a quarantine island. It is the recommendation of this committee that Public Law 522, Seventy-ninth Congress, be repealed. We also recommend that in the interest of economy the facilities on Swan Island be put into use by some agency of our Government needing such facilities."

I would like to interject here that we have had a very considerable number of communications from people who are interested in this measure, and a great majority of them have expressed opinions similar to the one quoted by the Secretary here. There have been some who have expressed the other opinion, however.

Reading again from the Secretary's letter:

The Department recommends clarification of the present situation through congressional action. Should Congress determine to repeal the joint resolution of July 24, 1946, which authorized the Swan Island quarantine station, disposition will need to be made of the temporary facilities erected there. They are on land leased at \$200 per annum. The lease terminates June 30, 1949, unless renewed prior to May 31, 1949. It provides that the facilities erected thereon may be removed at any time prior to termination. If the lease is terminated June 30, 1949, the facilities would obviously revert to the owner of the land unless renewed prior to that time. It seems that there would be no difficulty in renewing the lease under general appropriation authority of the Bureau of Animal Industry if it is not desired to abandon the facilities but to hold the lease until June 30, 1950, in order that there may be opportunity for any Federal agencies desiring these facilities to take title to them and to move them from the island. This would involve expenses for care and maintenance until disposal.

Mr. WORLEY. Doctor, is there any question in your mind that this act of July 24, 1946, definitely repeals section 306 of the Tariff Act?

Dr. SIMMS. It was our opinion that it did repeal the section of the Tariff Act which forbade the importation of animals because, I believe, the act of July 24 stated that.

Mr. WORLEY. Notwithstanding?

Dr. SIMMS. Notwithstanding prior laws and limitations.

Mr. WORLEY. If there is no objection, I would like to put in at this point section 306 of the Tariff Act.

(The section referred to is as follows:)

TITLE 19, USC, SECTION 1306: CATTLE, SHEEP, SWINE, AND MEATS—IMPORTATION PROHIBITED IN CERTAIN CASES (A) RINDERPEST AND FOOT-AND-MOUTH DISEASE

If the Secretary of Agriculture determines that rinderpest or foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof, and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep,

or other domestic ruminants, or swine, or of fresh, chilled, or frozen beef, veal, mutton, lamb, or pork, from such foreign country, is prohibited.

Mr. WORLEY. Doctor, you say you received a large number of communications, most of which are favorable to this legislation?

Dr. SIMMS. Yes, sir.

Mr. WORLEY. What was the underlying reason in those communications?

Dr. SIMMS. Most of them were very similar to the quotation in the Secretary's letter. That the use of Swan Island would constitute a danger for the introduction of diseases of foreign animals into this country.

Mr. WORLEY. You say you have some letters in opposition to this legislation?

Dr. SIMMS. A few, yes.

Mr. WORLEY. What were their views?

Dr. SIMMS. They have stated in general they felt with proper precautions and quarantine that Swan Island would be safe. In other words, that animals could be brought to Swan Island and with the proper period of quarantine and proper inspections before the animals were released to this country, that that procedure was not dangerous.

Mr. WORLEY. Isn't it generally assumed that the foot-and-mouth disease was taken into Mexico by bulls sent in from Sacrificios Island? How long were those bulls under observation?

Dr. SIMMS. The bulls were on Sacrificios Island for something like $4\frac{1}{2}$ to 5 months, I believe. During that time they were not under observation by any of our people at all. Our understanding was that it was illegal for those animals to be brought into Mexico and it was not up to us to inspect them on the island, so what happened on the island while they were there is hearsay with us.

Mr. WORLEY. Presumably they were under constant observation?

Dr. SIMMS. We were advised they were being observed daily.

Mr. BRAMBLETT. I don't have a question, but I would like to have inserted in the record at this point the statement of Dr. Duckworth of the Department of Agriculture of the State of California, in respect to Swan Island.

Mr. WORLEY. If there is no objection, it will be done.

(The statements referred to are as follows:)

STATEMENT OF DR. C. V. DUCKWORTH, CALIFORNIA STATE DEPARTMENT OF AGRICULTURE

Mr. Chairman, I have a letter that I would like to present for the record. Briefly, it is on Swan Island, a letter sent by our director voicing the views of those of us in the department of agriculture in opposition to the Swan Island project.

STATE OF CALIFORNIA,
DEPARTMENT OF AGRICULTURE,
January 28, 1949.

HON. CHARLES F. BRANNAN,
Secretary of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: It has come to the attention of our department that consideration is being given to the issuance of regulations governing the admission of ruminants and swine to a quarantine station on Swan Island. We have studied these regulations carefully and we have heard from segments of agriculture in California regarding the proposed regulations.

On January 17, 1949, the California State Board of Agriculture, meeting with representatives of the California Farm Bureau Federation, California Cattlemen's

Association, California Wool Growers Association, California Farmers, Inc., the Agricultural Council of California, and the California State Chamber of Commerce, agricultural department, passed the following resolution unanimously:

"Whereas the Congress in its wisdom enacted certain legislation in 1930 designated as the Tariff Act of 1930 (46 Stat. 689) prohibiting the importation of animals susceptible to foot-and-mouth disease or products thereof from countries in which foot-and-mouth disease exists; and

"Whereas attempts have been made from time to time to break down the provisions of this congressional enactment; and

"Whereas the Seventy-ninth Congress enacted Public Law No. 522, approved July 24, 1946, authorizing the construction of a livestock quarantine station on Swan Island; and

"Whereas regulations for the operation of the Swan Island quarantine station have been proposed by the Bureau of Animal Industry, United States Department of Agriculture; and

"Whereas the proposed regulations provide for importation onto Swan Island of animals susceptible to foot-and-mouth disease from areas in countries in which statement is made by the veterinarians of the country in question that foot-and-mouth disease has not existed in that area 60 days immediately preceding: Therefore be it

"Resolved, That we strongly oppose such regulation and point out that it is in violation of the intent of the Tariff Act of 1930 and constitutes a decided weakening of our sanitary embargo; be it further

"Resolved, That we urge and recommend, with the greatest emphasis possible, that the terminology of the Tariff Act and the intent of the Tariff Act be incorporated into law and regulations to the effect that animals susceptible to foot-and-mouth disease may not be imported onto Swan Island from any country in which it is determined that foot-and-mouth disease exists."

Also, there is before our legislature now in session a senate joint resolution copies of which will be sent to you in the event the legislature passes it, memorializing the President of the United States and the Secretary of Agriculture that no action be taken for the use of Swan Island as a quarantine station with respect to importation of animals susceptible to foot-and-mouth disease from any country in which foot-and-mouth disease exists, and memorializing the Congress of the United States to enact legislation to that effect.

There is a great deal of history behind all of this foot-and-mouth question and action taken by the United States to protect itself against the ravages of the disease. We in California remember all too vividly the drastic effects of the disease, necessitating the slaughter of many fine food-producing animals and the loss of blood lines concurrently. We also recall the drastic quarantines against persons and agricultural commodities, causing serious dislocation of our entire economic structure. We would not like to see it repeated.

Your library will reveal that ever since May 29, 1884, when the President gave his approval to an act of Congress granting the Secretary of the Treasury certain powers to prevent the spread of dangerous, contagious, infectious, and communicable diseases of livestock, the country has been interested in doing just that. That on February 2, 1903, the Secretary of Agriculture was authorized to make regulations to prevent introduction of diseases of animals into this country to "prevent the introduction or dissemination of the contagion of any contagious, infectious, or communicable disease of animals from a foreign country into the United States * * * and to seize, quarantine, and dispose of * * * any meats, hides, or other animal products coming from an infected foreign country."

Also, that an order by the Secretary of Agriculture under date of September 17, 1926, prohibiting the entry of fresh or frozen meat from any region in a country where foot-and-mouth disease existed, was deemed insufficient by the Congress. This was indicated by the enactment of Section 306a of the Tariff Act of 1930, returning to use of the word "country" instead of "region", thus clearly setting forth the thinking and intent of the Congress.

It may also be noted that a treaty was negotiated with Argentina to reverse the action of the Congress and substitute the words "region or zone" for the word "country" in the quarantine provisions. This was not ratified by the Senate, again indicating the congressional intent.

At this point, it may be of interest to observe that during the period 1927 to 1930, the United States embargo on imports of fresh meat applied only to meat from areas actually infected.

United States Department of Agriculture Miscellaneous Publication No. 68 offers the following in reference to the outbreak of foot-and-mouth disease in California in 1929:

"SOURCE OF INFECTION INVESTIGATED

"A study of the source of infection showed that the garbage which caused the outbreak came from the steamship *City of Los Angeles*, which was a merchantman; rumors that a naval vessel discharged the infected garbage were found to be entirely groundless. The steamship *City of Los Angeles* had left San Pedro in October 1928 for a South American cruise. On November 2 the boat put in at Buenos Aires, where it remained until November 6. During this period it received provisions, taking on, among other articles, about 18,000 pounds of meat, which included beef, pork, lamb, and veal."

I appreciate that this particular item refers only to meats, but it, nevertheless, clearly indicates that the condition was imported from a country where the disease existed. Recognizing that specific infectious diseases do not arise spontaneously, we must recognize the fact that each of the nine outbreaks in the United States had to be imported from a foreign country.

As to the Swan Island quarantine station, the question immediately presents itself as to what is the necessity of importing live animals into the United States from countries wherein foot-and-mouth disease is known to exist. If it is necessary to our economic well-being that we import foreign animals, may they not be obtained in countries where foot-and-mouth disease does not exist?

Under the proposed regulations, I do not see the degree of protection which, in my opinion, is necessary. There are questions both as to scientific knowledge and as to human frailties unanswered and conducive to violation of the intent of the regulations. Provisions are made in the regulations for certification the veracity of which it would be impossible to ascertain. You, as a regulatory man, are aware that a law or regulation is only as good as its enforcement and its enforcement is in direct proportion to the ability of the enforcing officials to demand and to check on the veracity of statements issued and work done. I am sure you will go deeply into detail with your Advisory Committee on Foot-and-mouth Disease.

We in California are extremely interested and we respectfully urge that the Swan Island regulations be revised to comply with the obvious intent of the Congress throughout many years in the exclusion of animals or products liable to carry foot-and-mouth disease from any country in which foot-and-mouth disease is known to exist.

Very sincerely yours,

A. A. BROCK, *Director*.

Mr. WORLEY. Do you have any further comment, Dr. Simms?

Dr. SIMMS. No, sir; I think that answers your question.

Mr. WORLEY. In your opinion, this act would lessen or perhaps eliminate the danger of foot-and-mouth disease entering this country?

Dr. SIMMS. Of course, this puts us back in the situation where we have been in the past several years, that the animals susceptible to foot-and-mouth disease are not allowed to come into this country from countries in which the disease is present.

Mr. WORLEY. That policy has been successful for a great number of years, has it not?

Dr. SIMMS. That is correct. We have not had foot-and-mouth disease break out in this country for a little more than 20 years.

Mr. WORLEY. The repeal of this act of July 24, 1946, would also save the Government some money, would it not?

Dr. SIMMS. Yes; it would save some funds, though it had been contemplated that Swan Island would be very largely self-supporting in that the people bringing cattle in would pay fees that would substantially cover the feeding and caring for the animals.

Mr. WORLEY. Thank you very much, Doctor. Are there any other witnesses from the Department?

Dr. SIMMS. Dr. Fladness and Dr. Clarkson are here, but unless you have further questions to ask——

Mr. WORLEY. I understand they concur in your statement?

Dr. SIMMS. Yes, sir; that is correct.

Mr. WORLEY. Thank you very much.

The next witness is Mr. Mollin. Will you state your name and identify yourself, Mr. Mollin.

STATEMENT OF F. E. MOLLIN, EXECUTIVE SECRETARY, AMERICAN NATIONAL LIVESTOCK ASSOCIATION

Mr. MOLLIN. My name is F. E. Mollin. I am executive secretary of the American National Livestock Association, with headquarters at Denver. We represent the range cattle producers of the West and South to a large degree. We have as members of our association, the State associations west of the Missouri River and the State associations of Louisiana, Mississippi, and Florida, as well, and in addition many regional and local associations and individual members.

We adopted a resolution at our convention in North Platte in January, urging that the Swan Island Act be amended to place it in conformity with section 306 (a) of the Tariff Act, which would mean that no shipments could be made through Swan Island from any country in which foot-and-mouth disease exists.

As a practical matter we think that the repeal of the act would be the thing to do because if you eliminated those shipments from countries where foot-and-mouth disease exists, there would be little excuse for the maintenance of such a station. The position we have taken in this matter has been endorsed by many of the leading livestock associations in the country. Mr. Bramblett mentioned some of the California people.

I might say there was a joint resolution passed in California that referred to this matter and the State agricultural board of California, the State cattlemen's association and numerous other California organizations have gone on record—the American Hereford Association has gone on record——

Mr. BRAMBLETT. May I interrupt you at this point?

Mr. MOLLIN. Yes, sir.

Mr. BRAMBLETT. Mr. Chairman, I would like to have the joint resolutions referred to inserted in the record.

Mr. WORLEY. Without objection, it will be inserted at this point. (The resolutions referred to are as follows:)

RESOLUTION OF THE CALIFORNIA STATE BOARD OF AGRICULTURE, SACRAMENTO

On January 17, 1949, the California State Board of Agriculture met in regular session at Sacramento, Calif., and had as its guests and participants in its deliberations, representatives of the California Farm Bureau Federation, California Cattlemen's Association, California Wool Growers Association, California Farmers, Inc., the Agricultural Council of California, and the Agricultural Department of the California State Chamber of Commerce. The following motion was unanimously adopted by the board with the concurrence of all those in attendance at the meeting:

"Whereas the Congress in its wisdom enacted certain legislation in 1930 designated as the Tariff Act of 1930 (46 Stat. 689) prohibiting the importation of animals susceptible to foot-and-mouth disease or products thereof from countries in which foot-and-mouth disease exists, and

"Whereas, attempts have been made from time to time to break down the provisions of this congressional enactment, and

"Whereas, the Seventy-ninth Congress enacted Public Law No. 522, approved July 24, 1946, authorizing the construction of a livestock quarantine station on Swan Island, and

"Whereas, regulations for the operation of the Swan Island quarantine station have been proposed by the Bureau of Animal Industry, United States Department of Agriculture, and

"Whereas, the proposed regulations provide for importation onto Swan Island of animals susceptible to foot-and-mouth disease from areas in countries in which statement is made by the veterinarians of the country in question that foot-and-mouth disease has not existed in that area 60 days immediately preceding: Therefore, be it

Resolved, That we strongly oppose such regulation and point out that it is in violation of the intent of the Tariff Act of 1930 and constitutes a decided weakening of our sanitary embargo; be it further

Resolved, That we urge and recommend, with the greatest emphasis possible, that the terminology of the Tariff Act and the intent of the Tariff Act be incorporated into law and regulations to the effect that animals susceptible to foot-and-mouth disease may not be imported onto Swan Island from any country in which it is determined that foot-and-mouth disease exists.

STATE OF CALIFORNIA,

County of Sacramento, ss:

I, Romain Young, assistant secretary of the California State Board of Agriculture, do hereby certify that the above is a true and correct copy of resolution passed on the 17th day of January, 1949.

In witness whereof I hereto set my hand this 3d day of February, 1949.

ROMAIN YOUNG.

Subscribed and sworn to before me this 3d day of February, 1949.

[SEAL]

WILMA WILSON,

Notary Public in and for the County of Sacramento, State of California.

My commission expires October 12, 1952.

SENATE JOINT RESOLUTION NO. 8

Adopted in Senate January 25, 1949

JOSEPH A. BEEK, *Secretary of the Senate.*

Adopted in Assembly January 28, 1949

ARTHUR A. OHNMUS, *Chief Clerk of the Assembly.*

This resolution was received by the Secretary of State this 3d day of February, 1949, at 3 o'clock p. m.

CHAS. J. HAGERTY, *Deputy Secretary of State.*

CHAPTER 67

Senate Joint Resolution No. 8—Relative to the proposed International Animal Quarantine Station on Swan Island

Whereas the people of this State remember with the direst apprehension the outbreaks of foot-and-mouth disease in 1924 and 1929 and the paralyzing effect each of these outbreaks had upon the economy and welfare of California and

Whereas, the bulwark of protection against the introduction of foot-and-mouth disease into the United States or this State has been subdivision (a) of section 306 of chapter 497 of the United States Statutes of 1930, providing that if the Secretary of Agriculture of the United States determines that foot-and-mouth disease exists in any foreign country, he shall officially notify the Secretary of the Treasury and give public notice thereof, and thereafter, and until the Secretary of Agriculture gives notice in a similar manner that such disease no longer exists in such foreign country, the importation into the United States of cattle, sheep, or other domestic ruminants, or swine, or of fresh, chilled, or frozen beef, veal, mutton, lamb, or pork, from such foreign country is prohibited; and

Whereas restrictions on importations have from time to time been issued pursuant to the authority of Congress and by that means foot-and-mouth disease has been kept from the United States or any part thereof; and

Whereas, chapter 592 of the United States Statutes of 1946 authorizes the Secretary of Agriculture, in his discretion, to establish and maintain on Swan Island, situate in the Caribbean Sea, an international animal quarantine station and permits the Secretary of Agriculture, notwithstanding the provisions of any

other law, but subject to regulations prescribed by him to prevent the introduction into the United States of communicable diseases of animals, to permit animals to be brought into the Swan Island quarantine station from any country, including those in which the Secretary of Agriculture determines that foot-and-mouth disease exists and to permit the same to be subsequently imported into other parts of the United States under the regulations of the Secretary of Agriculture; and

Whereas on December 7, 1948, the Secretary of Agriculture of the United States gave notice of his intention to issue regulations relating to the Swan Island quarantine station, which regulations permit ruminants and swine to be shipped into the quarantine station if they originate in an area in a foreign country which has been free from foot-and-mouth disease for at least sixty days immediately preceding the date of movement of the ruminants and swine therefrom and after quarantine at Swan Island for not less than ninety days may be brought into the United States; and

Whereas the report on foot-and-mouth disease made to the Senate of California on March 18, 1948, by the Senate Interim Committee on Livestock Diseases, created by Senate Resolution No. 145 of the 1947 Session of the California Legislature, shows that 316 Cebu bulls were landed on Sacrificios Island in April of 1946 and were removed from said island to the vicinity of Vera Cruz, Mexico, on the 28th of September, 1946, and were thereafter inspected by two veterinarians of the Bureau of Animal Industry of the United States Department of Agriculture and found to be free from foot-and-mouth disease and 3 weeks thereafter foot-and-mouth disease broke out in the vicinity into which the Cebu bulls had been imported; and

Whereas the regulations for the operation of the Swan Island quarantine station proposed by the Secretary of Agriculture can therefore not give any assurance that Swan Island will not become the avenue through which foot-and-mouth disease will be introduced into the United States; and

Whereas the California State Board of Agriculture at its meeting on January 17, 1949, attended by representatives from the California Farm Bureau, the California Cattlemen's Association, the California Wool Growers Association, California Farmers, Inc., the Agricultural Council of California, and the Agricultural Department of the California State Chamber of Commerce, adopted a resolution with the unanimous concurrence of those in attendance, that the regulations for the Swan Island quarantine station should prohibit the importation into the United States of animals susceptible to foot-and-mouth disease from any country in which it is determined that foot-and-mouth disease exists; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President of the United States and the Secretary of Agriculture thereof that no action be taken for the use of Swan Island as a quarantine station with respect to the importation into this country of animals susceptible to foot-and-mouth disease from any country in any part of which exists foot-and-mouth disease, and respectfully memorializes the Congress of the United States to enact legislation to this effect; and be it further

Resolved, That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Secretary of Agriculture, the Chief of the Bureau of Animal Industry, and the Speaker of the House of Representatives, and to every Senator and Representative from California in the Congress of the United States.

GOODWIN J. KNIGHT, *President of the Senate.*
SAM L. COLLINS, *Speaker of the Assembly.*

Attest:
[SEAL]

FRANK M. JORDAN, *Secretary of State.*

STATE OF CALIFORNIA

OFFICE OF THE SECRETARY OF STATE

I, Frank M. Jordan, secretary of state of the State of California, hereby certify: That I have compared the annexed transcript with the Record on file in my office, of which it purports to be a copy, and that the same is a full, true, and correct copy thereof.

In witness whereof, I hereunto set my hand and affix the great seal of the State of California, this 3d day of February, 1949.

FRANK M. JORDAN, *Secretary of State.*
By CHAS. J. HAGERTY, *Deputy.*

Mr. MOLLIN. The American Hereford Association of Kansas City, Mo., which I believe is the largest brand association in the country, has endorsed the position we have taken.

The New Mexican Cattle Growers' Association at its meeting last week and various other organizations are in accord with this position.

I would like to explain why we did not fight the Swan Island Act 3 years ago. That act was promoted after the second shipment of bulls from Brazil was on Sacrificios Island but before the foot-and-mouth disease broke out in Mexico. We were genuinely concerned with the laxness of Mexico and of the countries south of Mexico which are free of foot-and-mouth disease in permitting imports of shipments from countries where foot-and-mouth disease existed, and we thought if we could enact that legislation it would remove the large share of the danger in importing the disease. The main idea was to prevent the spread of foot-and-mouth disease to the north.

Practically all the countries of South America are infected. Most of the countries of Central America are not, and at that time there was no foot-and-mouth disease in North America, and as the lesser of the two evils we thought that Swan Island should be supported. But the objective cannot now be obtained because we have foot-and-mouth disease in Mexico, and there is another thing that has caused us a greater concern and that is the length of the period that these animals were on Sacrificios Island.

My records show they were unloaded on the 2d of May and taken from the island on the 28th of September, almost 5 months later. According to the best information I can secure—I don't know that there is an official date given—but we understand the disease broke out either on the ranch to which these bulls were moved or the adjoining ranch, about 3 weeks after they were moved to the mainland. That would be about the 18th or 20th of October.

And by coincidence, almost the same time, President Truman raised the quarantine of cattle from Mexico and permitted them to come into the country.

We received about 155,000 cattle between October 18 and December 27 when the quarantine was again restored after the information that foot-and-mouth disease was in Mexico—and we might say now that it was suppressed for practically 2 months by the old administration in Mexico, so when the new administration came into power on December 1, 1946, they had to cope with the situation left to them by their predecessors in office.

I would like to call attention to the fact that since Section 306 (a) of the Tariff Act was passed in 1930 that there had not been an outbreak of foot-and-mouth disease in this country. We think that is the safeguard of the American livestock industry against foot-and-mouth disease. We know that we probably will in the future have an occasional outbreak despite that protection, as we have had in the past, but nevertheless, this is the longest period of freedom from the disease that we have had, I think, since records have been kept, and I think officials from the Bureau of Animal Industry would bear me out on that. As a matter of fact, we had a similar provision enforced by Dr. Mohler as Chief of the Bureau in the 3 years prior to the passage of the Tariff Act, although that order limited the importation of cattle to regions which were free of foot-and-mouth disease. In practice, they did not permit any importation from any country where foot-and-

mouth disease existed, so we have had the protection, in fact, since January 1, 1937. The last outbreak we had in this country was in California in 1929. It was an outbreak caused by garbage from a boat fresh from Buenos Aires and the garbage that was unloaded from there in violation of BAI orders regarding disposal.

I think that that is about all that needs to be said.

We feel that the importance of the livestock industry in this country is so great to the whole economy of the country that we should take every precaution. We don't apologize for having tried this other route in 1946 because at the moment, as your chairman stated, it seemed the thing to do in view of the conditions existing at that time.

But I don't know today what a safe quarantine period would be. I don't think Dr. Simms or his assistants would know what a safe quarantine period would be.

We know that those bulls brought foot-and-mouth disease to Mexico after almost 6 months in practical quarantine. Perhaps they were previously vaccinated. How they brought the disease despite the fact that they were vaccinated we don't know and we don't want to tamper with it and we want to bar imports from countries where foot-and-mouth disease exists, as provided in the old section 306 of the Tariff Act as we have been prior to this unique situation which developed as a result of the laxity of Mexico and the other countries to the south of Mexico in permitting imports from countries where the disease did exist at the time.

Mr. WORLEY. Any questions?

Mr. GRANGER. You say we were fortunate in not having an outbreak of foot-and-mouth disease in this country, and I agree with you. I think it is almost miraculous that we have not had, as a result of the outbreak in Mexico, a similar outbreak here, which leads me to believe that the Bureau of Animal Industry has done a bang-up job in curtailing the spread of that disease, and I think a great deal of credit is due that organization. Do you agree with that?

Mr. MOLLIN. Yes, I do. I might say our association has always supported the BAI in its endeavors, and we think they have done a swell job, and I agree with you also that it is almost a miracle that we have not had foot-and-mouth disease here since the disease has been in Mexico for 1½ years.

We don't know what the outcome will be, but we still have hope. At least, they have not permitted it to spread to the north. In fact, it has been pushed further to the south.

Mr. GRANGER. I think we will have the support of your organization in furnishing the adequate funds to fight the disease until it is entirely stamped out?

Mr. MOLLIN. Yes. And we think there should be adequate funds for research, and I think we have been a little slow in getting started. We must get that laboratory going so we will have research going in the event we are not successful in the present method in Mexico.

Mr. WORLEY. We are glad to have the view of the members of your organization on the act. Do you have any questions?

Mr. WHITE. Yes.

Mr. WORLEY. Mr. White.

Mr. WHITE. It is nothing, Mr. Chairman, except I would like to ask if there has been any opposition to the repeal of the Swan Island Act?

Mr. WORLEY. Dr. Simms testified that a few did communicate to him their opposition.

Mr. WHITE. Are there no witnesses here in opposition to it?

Mr. WORLEY. Apparently there are no witnesses here in opposition.

Mr. MOLLIN. I might say, Mr. Chairman, some of the people who have indicated they would like the continuation of the station suggested a quarantine for a year, which seems like a wholly impractical thing to propose, and we think, everything considered, that the simple way out of this situation is to repeal the act.

Mr. WORLEY. It would be nothing short of stupid for this country to be spending millions of dollars in Mexico and at the same time allow possibly infected cattle from infected countries to enter the United States. That would be stupid.

In line with your testimony, I have received a telegram from Albert K. Mitchell who is in Mexico City at this time. It reads:

Here checking progress of foot-and-mouth disease control program. After reviewing tragic results to Mexico of importation of bulls from South America after taking what were considered necessary quarantine precautions I strongly urge that you give full support to pending legislation in Congress providing for abandonment of Swan Island as quarantine station and disposal of facilities there to some other Department of our Government that can use them. As long as this station remains in present status it is a hazard to our livestock industry and continual pressure will be brought to bear for its use. Advisory committee on foot-and-mouth disease to the Secretary has unanimously expressed its approval of legislation to abolish.

(Signed) ALBERT K. MITCHELL.

Another communication was received from Bryant Edwards, president of the Texas and Southwestern Cattle Raisers Association which says:

Executive committee, Texas and Southwestern Cattle Raisers Association instruct me to urge the repeal of law establishing Swan Island as a quarantine station to be used in the importation of livestock to this country. Threat of foot-and-mouth disease too grave to permit its existence under present law or any amendment to present law.

(Signed) BRYANT EDWARDS, *President*.

Are there any further questions of Mr. Mollin? Mr. Simpson?

Mr. SIMPSON. No.

Mr. WORLEY. Thank you very much, Mr. Mollin.

The next witness is Mr. Jones. Will you identify yourself, please?

STATEMENT OF J. M. JONES, SECRETARY, NATIONAL WOOL GROWERS' ASSOCIATION

Mr. JONES. My name is J. M. Jones. I am secretary of the National Wool Growers' Association, representing Western States. My position is the same that Mr. Mollin has expressed to the committee. I don't believe there is anything further I can add in that connection.

We as an organization passed the same type of resolution. We have the same feeling as to the reason why the repeal of the act is necessary at this time, and I think, Mr. Chairman, if there are no questions I won't take the time of the committee to go further into it.

Mr. WORLEY. Are there any questions?

Mr. BRAMBLETT. Yes.

Mr. WORLEY. Mr. Bramblett.

Mr. BRAMBLETT. I would like to have the resolution inserted in the record at this point.

Mr. JONES. Thank you, I will give it to the clerk.

(The resolution referred to above is as follows:)

THE 1949 PLATFORM AND PROGRAM OF THE NATIONAL WOOL GROWERS ASSOCIATION, AS ADOPTED BY THE EIGHTY-FOURTH ANNUAL CONVENTION, FEBRUARY 1-4, 1949, SAN ANTONIO, TEX.

PROTECTION OF SANITARY EMBARGO IN QUARANTINE REGULATIONS AT SWAN ISLAND

The Congress in 1930 passed the Tariff Act of 1930 prohibiting the importation of animals susceptible to foot-and-mouth disease or products thereof from countries in which foot-and-mouth disease exists.

The Seventy-ninth Congress authorized the construction of a livestock quarantine station on Swan Island, regulations for the operation of which have been proposed by the Bureau of Animal Industry. These regulations provide for the importation to Swan Island of animals susceptible to foot-and-mouth disease from areas in countries in which statement is made by the veterinarians of the country in question that foot-and-mouth disease has not existed in that area 60 days immediately preceding.

We oppose such regulation and point out that it is in violation of the intent of the Tariff Act of 1930 and constitutes a decided weakening of our sanitary embargo.

We urge that the terminology and intent of the Tariff Act be incorporated into law and regulations to the effect that animals susceptible to foot-and-mouth disease may not be imported on to Swan Island from any country in which it is determined that foot-and-mouth disease exists.

Mr. WORLEY. Thank you, Mr. Jones.

Here is a resolution from the Intermountain Veterinary Medical Association of Salt Lake City, Utah. If there is no objection, it will be inserted in the record at this point.

(The resolution referred to is as follows:)

RESOLUTION OF THE INTERMOUNTAIN VETERINARY MEDICAL ASSOCIATION
MEETING AT SALT LAKE CITY, UTAH

REPORT OF RESOLUTIONS COMMITTEE

Whereas foot-and-mouth disease still remains a serious threat to the livestock industry of the United States, and

Whereas the eradication program by the slaughter method, which has so far proved successful in this country, has been drastically curtailed in favor of a vaccination program that is still in the experimental stage, but which, if properly carried through, may ultimately prove successful, and

Whereas the existence of foot-and-mouth disease in Mexico still constitutes an immediate and grave danger to the livestock industry of the United States: Therefore be it

Resolved, That the Intermountain Veterinary Medical Association goes on record in support of any effective method of eradication of foot-and-mouth disease outside the United States, and urges that all livestock sanitary officials continue their efforts in support of such a program, as well as the strict enforcement of all regulations necessary to prevent the introduction of the disease into this country; be it further

Resolved, That copies of this resolution be transmitted to the president and secretary of the American Veterinary Medical Association, to the Secretary of Agriculture and members of the Agricultural Committee of the Senate and House, and to Senators and Congressmen of Montana, Idaho, Utah, Nevada, Wyoming, Colorado, Arizona, and New Mexico, and to the State veterinarians of these States for distribution to the press.

Mr. WORLEY. Also in the record at this point I would like to place a resolution adopted by the Texas Sheep and Goat Raisers' Association, of San Angelo, Tex., in support of this legislation.

(The resolution referred to is as follows:)

RESOLUTION OF THE TEXAS SHEEP AND GOAT RAISERS' ASSOCIATION, SAN ANGELO, TEX.

In view of the fact that the animals responsible for the outbreak of foot-and-mouth disease in the Republic of Mexico entered that country through the quarantine station on Sacrificios Island, and that to maintain an additional quarantine station on the west coast might prove highly dangerous, the Texas Sheep and Goat Raisers' Association, Inc., strongly recommends that the quarantine station now on Swan Island be eliminated immediately.

Mr. WORLEY. Mr. Liljenquist will be next. We will be glad to have your testimony.

STATEMENT OF L. BLAINE LILJENQUIST, WASHINGTON REPRESENTATIVE, WESTERN STATES MEAT PACKERS ASSOCIATION, INC.

Mr. LILJENQUIST. My name is L. Blaine Liljenquist. I am Washington representative of the Western States Meat Packers Association. Our organization of meat packers in the Rocky Mountain and Pacific Coast States are very much interested in the bill to repeal the Swan Island Act.

We have a great meat industry in the United States and the demand for our meat is right up to the supply. We have a situation wherein if we were to have an outbreak of foot-and-mouth disease in this country requiring that a number of our animals be slaughtered, it would be a very, very serious situation that would develop.

We would like to go on record by supporting the testimony of Dr. Simms, Mr. Mollin, and Mr. Jones, in supporting H. R. 3717.

I have a chart here appearing in the April 2 issue of National Provisioner, which advertises itself as the leading magazine in the meat industry and allied industries, wherein they have constructed a pie chart here based on Department of Agriculture figures wherein they show that almost one-third of the American farmers' cash income in 1948 came from the sale of meat animals and another 14 percent came from dairy products, or a total of 45 percent out of cash income to American farmers last year came from animals, which would be subject to foot-and-mouth disease.

We feel we cannot jeopardize this country by permitting livestock to come into our country from Swan Island, in turn from countries where the foot-and-mouth disease exists, and we certainly urge that the Swan Island Act be repealed, and we rely on the 1930 Tariff Act for the safety of the industry wherein the Secretary of Agriculture certifies to the Secretary of the Treasury a list of all countries having foot-and-mouth disease and thereby refuse entry of either livestock animals subject to the disease or the importation of dressed beef or dressed meat from those countries.

Mr. WORLEY. Any questions?

Mr. Liljenquist, the only known method of eradicating foot-and-mouth disease is slaughter and burial, is that correct, as far as we know?

Mr. LILJENQUIST. As far as we know.

Mr. WORLEY. And if that disease were allowed in the United States it would mean the slaughter and burial of any number of livestock, and would mean the elimination of that income for farmers. In addition to that, it would curtail the supply of meat and when the supply is curtailed the price will go even much higher than it is now.

MR. LILJENQUIST. It would not take much of an elimination of meat over what the market is now, to immediately skyrocket the price.

MR. WORLEY. We must also take into consideration the work that takes place in packing plants, and railroads, and a reduction in numbers of employees—I just want to point out for the record this does not affect the livestock industry alone, but all the related industries.

Thank you, Mr. Liljenquist.

Are there any other witnesses to appear here for or against this legislation? If not, Dr. Simms, will you return to the stand for just one question, please?

DR. SIMMS. Yes.

MR. WORLEY. Within the past few days several of us have heard that there have been additional outbreaks in European countries of foot-and-mouth disease. Do you have any information on that?

DR. SIMMS. Europe is undergoing an outbreak of foot-and-mouth disease at the present time. The situation is not particularly worse now than it was a month or 2 months ago, but beginning about 2 years ago foot-and-mouth disease started moving north and east from southwestern Europe and it is continuing to move across Europe. The efforts at control and eradication have not been entirely successful in European countries.

MR. WORLEY. The situation in European countries is worse now than it has been for a number of years.

DR. SIMMS. Yes; it is worse in Europe now than it was 3 years ago. Of course, we know that the disease has hit Europe in waves for a good period back, and apparently this is one of those waves.

MR. WORLEY. Then the danger to our own economy is greater now.

DR. SIMMS. We feel that the danger of introduction from Europe is considerably greater now than it was 4 years ago because there is more infection on the European continent.

MR. WORLEY. Just all the more reason we should repeal the authority granted in the Swan Island Act.

DR. SIMMS. It makes it more necessary that all regulations, not only for cattle alone but all livestock products, be very closely watched. That is, that those quarantine measures be very actively enforced.

MR. WORLEY. Your Department is giving that attention?

DR. SIMMS. To the best of our ability we are maintaining quarantines that will prevent the introduction of any animal products that have not been properly cooked or sterilized.

MR. WORLEY. Any further questions? Thank you very much, Dr. Sims. If there are no further witnesses either for or against this legislation and if there is no objection, the hearing is closed.

MR. GRANGER. I make a motion that we report the bill favorably.

MR. WORLEY. The gentleman from Utah, Mr. Granger, moves that H. R. 3717 be reported favorably to the full Committee with the recommendation it be passed.

MR. BRAMBLETT. I second the motion.

MR. WORLEY. Mr. Bramblett has seconded the motion. Those in favor of the motion say "aye."

(A chorus of "ayes.")

MR. WORLEY. Those opposed, "no." The "ayes" have it; accordingly the motion prevails.

The hearing is closed.

(Whereupon, at 11 a. m., the subcommittee adjourned.)

SWAN ISLAND

APRIL 26, 1949.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 3717]

The Committee on Agriculture, to whom was referred the bill (H. R. 3717) to repeal the act of July 24, 1946, relating to Swan Island animal quarantine station, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

This bill, H. R. 3717, was considered jointly with House Joint Resolution 177. Both measures have as their objective the repeal of the act of July 24, 1946, authorizing the Secretary of Agriculture to establish an international animal-quarantine station on Swan Island.

Swan Island is in the Caribbean Sea (lat. 17°25' N., long. 83°56' W.) and is under the sovereignty of the United States. The land on which the quarantine station is located was leased from private owners at an annual rental of \$200 and buildings and equipment costing about \$85,000 have been installed there. The quarantine station has not yet begun operation.

The purpose of the act of July 24, 1946, was to provide an animal quarantine station which could be used not only by the United States but also by Mexico and the Central American nations. Its essential function was to permit importation of breeding stock from all parts of the world and still to protect the United States and the North American Continent against the introduction of foot-and-mouth disease and other highly infectious livestock diseases.

Since the enactment of the legislation authorizing the station, foot-and-mouth disease has become established in Mexico so that the primary reason for the quarantine station—to keep the disease off the North American Continent—no longer exists.

facilities on such sites, and notwithstanding the provisions of any other law but subject to regulations prescribed hereunder by the Secretary of Agriculture to prevent the introduction into the United States of communicable diseases of animals, animals may be brought into said quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest and foot-and-mouth disease exist, and may be subsequently imported into other parts of the United States under said regulations.】

Approved July 24, 1946.



Union Calendar No. 181

81ST CONGRESS
1ST SESSION

H. R. 3717

[Report No. 480]

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1949

Mr. WORLEY introduced the following bill; which was referred to the Committee on Agriculture

APRIL 26, 1949

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To repeal the Act of July 24, 1946, relating to the Swan Island
Animal Quarantine Station.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of July 24, 1946 (60 Stat. 633), author-
4 izing the Secretary of Agriculture to establish and maintain
5 on Swan Island an international animal quarantine station,
6 is hereby repealed.

Union Calendar No. 181

81ST CONGRESS
1ST SESSION

H. R. 3717

[Report No. 480]

A BILL

To repeal the Act of July 24, 1946, relating to
the Swan Island Animal Quarantine Station.

By Mr. WORLEY

MARCH 22, 1949

Referred to the Committee on Agriculture

APRIL 26, 1949

Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

wonder if someone could not explain the object of section 1 and section 2 of this bill, in particular. If not, Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FINANCIAL ASSISTANCE FOR HOMESTEAD ENTRYMEN

The Clerk called the bill (H. R. 2514) to enable the Secretary of Agriculture to extend financial assistance to homestead entrymen, and for other purposes.

Mr. NOLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

WATER-FACILITY LOANS

The Clerk called the bill (H. R. 3181) to provide for more effective conservation in the arid and semiarid areas of the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. NOLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

SWAN ISLAND ANIMAL QUARANTINE STATION

The Clerk called the bill (H. R. 3717) to repeal the act of July 24, 1946, relating to the Swan Island animal quarantine station.

Mr. DEANE. Mr. Speaker, reserving the right to object, and I shall not object, would the author of the bill point out how the Government may retain its security in view of the fact that the lease on this particular property expired on May 31? From my study of the report and the bill, it appears that the lease on this particular property expires on May 31. Unless it is renegotiated by that time, the Government will lose some \$85,000.

Mr. WORLEY. Mr. Speaker, as I understand it, the rent on that island is anywhere from \$200 to \$600 a year. The structures now on the island can be removed under the terms of the contract and be retained by the Government of the United States.

Mr. DEANE. The Government will protect itself so far as the monetary value is concerned.

Mr. WORLEY. The Government is fully protected.

Mr. DEANE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the act of July 24, 1946 (60 Stat. 633), authorizing the Secretary of Agriculture to establish and maintain on Swan Island an international animal quarantine station, is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FARM LABOR CAMPS

The Clerk called the bill (H. R. 2906) to provide a 1 year's extension of time for the disposition of farm labor camps to public or semipublic agencies or non-profit associations of farmers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of July 31, 1947 (ch. 413, 61 Stat. 694), is hereby amended by striking out the date "June 30, 1949" wherever it appears therein and substituting in lieu thereof the date "June 30, 1950."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING AGRICULTURAL ADJUSTMENT ACT OF 1938

The Clerk called the bill (H. R. 4081) to amend section 359 of the Agricultural Adjustment Act of 1938, as amended, in order to permit the delivery of excess peanuts to agencies designated by the Secretary of Agriculture and to define the term "cooperator" with respect to price supports for peanuts and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, will the author of the bill, the gentleman from Georgia [Mr. PACE], explain the bill?

It seems to be a quite comprehensive bill, and I think the membership should have a little further explanation of it.

Mr. PACE. Mr. Speaker, the provisions of the pending bill were substantially the law prior to August 1, 1947. In the closing days of that session of Congress, an amendment to the Agricultural Adjustment Act was before the committee hurriedly, and was reported out. At the bottom of the act, somewhat like the small print in a contract, was a provision striking subsection (b), which, frankly, was not investigated by the committee because we thought it related to the provisions of the amendment. This bill simply restores the plan that was in the law of 1941, whereby, if a producer, either intentionally or unintentionally, plants in excess of his allotted acreage, the crop on the excess acreage shall be channeled through Government agencies for control purposes and for crushing into oil.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 359 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding the following new subsections:

"(g) Beginning with the 1949 crop of peanuts, payment of the marketing penalty as provided in subsection (a) will not be required on any excess peanuts which are de-

livered to or marketed through an agency or agencies designated each year by the Secretary. Any peanuts received under this subsection by such agency shall be sold by such agency (i) for crushing for oil, under a sales agreement approved by the Secretary; (ii) for cleaning and shelling at prices not less than those established for quota peanuts under any peanut diversion, peanut loan, or peanut purchase program; or (iii) for seed at prices established by the Secretary. For all peanuts so delivered to a designated agency under this subsection, producers shall be paid for the portion of the lot constituting excess peanuts, the prevailing market value thereof for crushing for oil, less the estimated cost of storing, handling, and selling such peanuts. Any person who, pursuant to the provisions of this subsection, acquires peanuts for crushing for oil and who uses or disposes of such peanuts for any purpose other than that for which acquired shall pay a penalty to the United States, at a rate equal to the marketing penalty prescribed in subsection (a), upon the peanuts so used or disposed of and shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both, for each and every offense. Operations under this subsection shall be carried on under regulations prescribed by the Secretary.

"(h) For the purposes of price support with respect to the 1949 and subsequent crops of peanuts, a 'cooperator' shall be (1) a producer on whose farm the acreage of peanuts picked or threshed does not exceed the farm acreage allotment or (2) a producer on whose farm the acreage of peanuts picked or threshed exceeds the farm acreage allotment provided any peanuts picked or threshed in excess of the farm marketing quota are delivered to or marketed through an agency or agencies designated by the Secretary pursuant to subsection (g) in accordance with regulations prescribed by the Secretary."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION OF COAL TO OGDENSBURG, N. Y.

The Clerk called the bill (H. R. 75) to amend section 27 of the Merchant Marine Act, 1920, so as to permit the transportation of coal to Ogdensburg, N. Y., in foreign vessels.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1946 ed., title 46, sec. 883), vessels of Canadian registry shall be permitted until December 31, 1950, to transport coal to Ogdensburg, N. Y., from other points in the United States on the Great Lakes, or their connecting or tributary waters.

Page 1, line 5, strike out the word "Canadian" and insert the word "foreign."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREE BRIDGE ACROSS THE RIO GRANDE NEAR DEL RIO, TEX.

The Clerk called the bill (H. R. 1366), to extend the times for commencing and

completing the construction of a free bridge across the Rio Grande at or near Del Rio, Tex.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That section 2 of the act entitled "An act authorizing the State of Texas, acting through the State Highway Commission of Texas, or the successors thereof, to acquire, construct, maintain, and operate a free bridge across the Rio Grande at or near Del Rio, Tex.," approved August 2, 1946, is hereby amended to read as follows:

"SEC. 2. The authority granted herein for construction of the bridge shall cease and be null and void unless the actual construction be commenced within 5 years and completed within 7 years from August 2, 1946, unless otherwise authorized by the Congress of the United States."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GOVERNMENT-OWNED FACILITIES FOR INTERNATIONAL BROADCASTING

The Clerk called the bill (H. R. 2282) to make certain Government-owned facilities available for international broadcasting in the furtherance of authorized programs of the Department of State, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purpose of assuring continued operation of the facilities hereinafter described for international broadcasting as a means of achieving the objectives of the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.) under authority of that act, the Reconstruction Finance Corporation, as successor to Defense Plant Corporation (or the War Assets Administration, if such property has been declared surplus), shall transfer, without regard to the provisions of the Surplus Property Act of 1944, as amended, and without reimbursement or transfer of funds, to the Secretary of State (hereinafter referred to as the "Secretary") all of its right, title, and interest in and to the facilities known as Plancors 1805, 1985, and 1986 located in Butler County, Ohio, in the vicinity of Delano, Calif., and Dixon, Calif., respectively, together with the equipment and other property appurtenant thereto. For the purposes of this act, the Secretary is authorized to acquire property or rights or interests therein necessary or desirable for the operation of such facilities by purchase, lease, gift, transfer, condemnation, or otherwise.

SEC. 2. Whenever the Secretary finds that the operation of the facilities herein authorized to be transferred are no longer necessary or desirable, he shall report such fact to Congress with his recommendations for the disposition of such facilities.

SEC. 3. The Department of State shall assume all obligations of the Reconstruction Finance Corporation covering operations of said facilities, equipment, and appurtenant property outstanding at the date of transfer.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES MARINE BAND AT FIFTY-NINTH ANNUAL REUNION OF CONFEDERATE VETERANS

The Clerk called the bill (H. R. 3341) to authorize the attendance of the United States Marine Band at the fifty-ninth annual reunion of Confederate Veterans to be held in Little Rock, Ark., September 27 through September 29, 1949.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the fifty-ninth reunion of the Confederate Veterans to be held in Little Rock, Ark., September 27 through September 29, 1949.

SEC. 2. For the purposes of defraying expenses of such band in attending and giving concerts at such reunion there is hereby authorized to be appropriated a sufficient sum to cover the cost of transportation and pullman accommodations for the leader and members of the Marine Band, and allowance not to exceed \$8 per day each for additional traveling and living expenses while on duty, such allowance to be in addition to pay and allowance to which they would be entitled while serving their permanent station.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPACT FOR DIVISION OF THE WATERS OF THE YELLOWSTONE RIVER

The Clerk called the bill (H. R. 2566) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact, or agreement, not later than June 1, 1952, providing for an equitable division and apportionment between the States of the water supply of the Yellowstone River and of the streams tributary thereto, upon condition that one suitable person, who shall be appointed by the President of the United States, shall participate in said negotiations as the representative of the United States and shall make a report to Congress of proceedings and of any compact or agreement entered into: *Provided*, That such compact or agreement shall not be binding or obligatory upon any of the parties thereto unless and until the same shall have been approved by the legislatures of each of said States and by the Congress of the United States: *Provided further*, That nothing in this act shall apply to any waters within or tributary to the Yellowstone National Park or shall establish any right or interest in or to any lands with the boundaries thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEMPORARY DEFERMENT IN ASSESSMENT WORK ON MINING CLAIMS

The Clerk called the bill (H. R. 3754) providing for the temporary deferment

in certain unavoidable contingencies of annual assessment work on mining claims held by location in the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the performance of not less than \$100 worth of labor or the making of improvements aggregating such amount, which labor or improvements are required under the provisions of section 2324 of the Revised Statutes of the United States to be made during each year, may be deferred by the Secretary of the Interior as to any mining claim or group of claims in the United States upon the submission by the claimant of evidence satisfactory to the Secretary that such mining claim or group of claims is surrounded by lands over which a right-of-way for the performance of such assessment work has been denied or is in litigation or is in the process of acquisition under State law or that other legal impediments exist which affect the right of the claimant to enter upon the surface of such claim or group of claims or to gain access to the boundaries thereof.

SEC. 2. The period for which said deferment may be granted shall end when the conditions justifying deferment have been removed: *Provided*, That the initial period shall not exceed 1 year but may be renewed for a further period of 1 year if justifiable conditions exist.

SEC. 3. All deferred assessment work shall be performed in the assessment year next subsequent to the removal or cessation of the causes for deferment or the expiration of any deferments granted under this act and shall be in addition to the annual assessment work required by law in such year. Within 60 days after completion of deferred assessment work the claimant shall file with the Secretary of the Interior a sworn statement itemizing said deferred work performed or improvements made.

SEC. 4. Claimant shall file or record or cause to be filed or recorded in the office where the notice or certificate of location of such claim or group of claims is filed or recorded, a notice to the public of claimant's petition to the Secretary of the Interior for deferment under this act, and of the order or decision disposing of such petition.

With the following committee amendments:

On page 2, line 14, strike out the word "in" and insert "not later than the end of."

Page 2, line 18, after the word "year," strike out the balance of line 18, all of lines 19, 20, and 21.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACADIA NATIONAL PARK, MAINE

The Clerk called the bill (H. R. 4026), relating to the exchange of certain private and Federal properties within the authorized boundaries of Acadia National Park, in the State of Maine, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That for the purpose of consolidating Federal holdings of land within

81ST CONGRESS
1ST SESSION

H. R. 3717

IN THE SENATE OF THE UNITED STATES

MAY 3 (legislative day, APRIL 11), 1949

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To repeal the Act of July 24, 1946, relating to the Swan Island
Animal Quarantine Station.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Act of July 24, 1946 (60 Stat. 633), author-
4 izing the Secretary of Agriculture to establish and maintain
5 on Swan Island an international animal quarantine station.
6 is hereby repealed.

Passed the House of Representatives May 2, 1949.

Attest:

RALPH R. ROBERTS,

Clerk.

81ST CONGRESS
1ST SESSION

H. R. 3717

AN ACT

To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station.

MAY 3 (legislative day, APRIL 11), 1949

Read twice and referred to the Committee on
Agriculture and Forestry

SWAN ISLAND ANIMAL QUARANTINE STATION

JUNE 27 (legislative day, JUNE 2), 1949.—Ordered to be printed

Mr. THYE, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H. R. 3717]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 3717) to repeal the act of July 24, 1946, relating to the Swan Island animal quarantine station, having considered same, report thereon with a recommendation that it do pass without amendment.

This bill was referred to the Subcommittee on Foot-and-Mouth Disease for study, and the subcommittee's favorable report is attached hereto and made a part of this report. The report of the House Committee on Agriculture (H. Rept. No. 480) is also attached as a part of this report.

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY.REPORT OF THE SUBCOMMITTEE ON FOOT-AND-MOUTH DISEASE TO THE
COMMITTEE ON AGRICULTURE AND FORESTRY ON H. R. 3717

Your subcommittee hereby reports on H. R. 3717, a bill to repeal the act of July 24, 1946, relating to the Swan Island animal quarantine station, with the recommendation that it be approved for enactment.

The act of July 24, 1946 (Public Law 522, 79th Cong.) established an animal quarantine station on Swan Island, located in the northwest Caribbean Sea. The act also authorized in contravention to former policy the importation of animals from any country regardless of the fact that rinderpest or foot-and-mouth disease existed in such country. The purpose of the station was to provide means whereby the livestock industry in this country could be protected from the disease while such importations were made. However, in view of recent events and the long-established policy of absolute prohibition of animal importations from such countries, the subcommittee unanimously believes the act should be repealed and the former policy be reestablished.

Your Subcommittee on Foot-and-Mouth Disease was first appointed in February 1947 following the outbreak of foot-and-mouth disease in Mexico. Since that time it has been making a continuous study of the situation in that country and has been responsible to the committee for recommendations on legislation pertaining to the subject. Following the referral of H. R. 3717 to the subcommittee, a hearing has been conducted on the bill. The subcommittee has also had the

benefit of the hearings held by a similar subcommittee of the House Committee on Agriculture and the subsequent report of that committee.

The dangers involved in allowing importation of animals from countries where rinderpest and foot-and-mouth disease exist are apparent and the outbreak of the disease in Mexico emphasizes this point. While the subcommittee is aware of the desirability of exchanging breeding stock with other countries, it is believed that the gains in developing new strains in this country would not warrant the exposure of our livestock industry to foot-and-mouth disease at this time. At present a research program to develop effective and economic vaccines for the prevention of the disease has been authorized by the Congress. Your subcommittee is strongly of the opinion that research should be given priority now, and following complete investigations in the field, the Congress will be in a much better position to reconsider possible importation of animals from any country.

EDWARD J. THYE, *Chairman.*

CLYDE R. HOEY.

SPESSARD L. HOLLAND.

GUY M. GILLETTE.

MILTON R. YOUNG.

[H. Rept. No. 480, 81st Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 3717) to repeal the act of July 24, 1946, relating to Swan Island animal quarantine station, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

This bill, H. R. 3717, was considered jointly with House Joint Resolution 177. Both measures have as their objective the repeal of the act of July 24, 1946, authorizing the Secretary of Agriculture to establish an international animal quarantine station on Swan Island.

Swan Island is in the Caribbean Sea (lat. 17°25' N., long. 83°56' W.) and is under the sovereignty of the United States. The land on which the quarantine station is located was leased from private owners at an annual rental of \$200 and buildings and equipment costing about \$85,000 have been installed there. The quarantine station has not yet begun operation.

The purpose of the act of July 24, 1946, was to provide an animal quarantine station which could be used not only by the United States but also by Mexico and the Central American nations. Its essential function was to permit importation of breeding stock from all parts of the world and still to protect the United States and the North American Continent against the introduction of foot-and-mouth disease and other highly infectious livestock diseases.

Since the enactment of the legislation authorizing the station, foot-and-mouth disease has become established in Mexico so that the primary reason for the quarantine station—to keep the disease off the North American Continent—no longer exists.

Representatives of the livestock industry and of the Department of Agriculture are in agreement that the establishment of the proposed quarantine station is now neither necessary nor desirable. The committee, therefore, recommends that the enabling legislation be repealed by this bill and that the Department of Agriculture proceed to dispose of its installations on Swan Island.

The committee understands that the Bureau of Animal Industry has the authority under its general appropriation to continue the lease of the site for another year, so that there will be time to dismantle and dispose of the facilities.

DEPARTMENT REPORT

Following is the report of the Secretary of Agriculture favoring enactment of this bill:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, April 5, 1949.

HON. HAROLD D. COOLEY,
*Chairman, Committee on Agriculture,
House of Representatives.*

DEAR MR. COOLEY: This is in reply to your request of March 25, 1949, for a report on H. R. 3717, a bill to repeal the act of July 24, 1946, relating to the Swan Island animal-quarantine station.

The act of July 24, 1946 (60 Stat. 633; 21 U. S. C. 133), provides for the establishment of an international animal quarantine station on Swan Island, and, notwithstanding the provisions of any other law but subject to regulations to be prescribed by the Secretary of Agriculture, permits the entry therein of animals from any country and their subsequent entry into other parts of the United States under said regulations. The laws affected by this legislation are the act of August 30, 1890, as amended (21 U. S. C. 101-105), which provides authority to inspect imported animals, to quarantine them as required, or to suspend importations in order to exclude dangerous animal diseases, and section 306 (a) of the Tariff Act of 1930 (19 U. S. C. 1306 (a)), which prohibits the importation of certain livestock and products from countries where foot-and-mouth disease or rinderpest exists.

The original concept of an international animal quarantine station was to afford the United States greater protection against foot-and-mouth disease by providing officially controlled facilities whereby neighboring countries to the south could, with comparative safety, import breeding stock through the station from countries where the disease exists. Mexico and the Central American countries were then free of foot-and-mouth disease. Certain livestock interests of those countries desired to import cattle from countries where foot-and-mouth disease existed, and such importations have occurred from time to time. By providing an international quarantine station as a means for control of the importations, it was considered that the likelihood of introducing the disease to these neighboring countries would be lessened, thereby decreasing the danger to the United States.

However, when legislation was introduced in the Congress on June 7, 1946 (H. J. Res. 364), it contained provisions beyond the original purpose. It included language which would permit the importation, through the Swan Island quarantine station into the United States, of animals from countries where foot-and-mouth disease or rinderpest exists, notwithstanding the provisions of any other law. During the course of committee hearings, officials of this Department affirmed the desirability of strengthening our protection against foot-and-mouth disease by assisting the countries to the south.

Since enactment of the legislation, facilities and equipment have been provided at a total cost of slightly more than \$85,000. Following the installation of facilities, regulations to govern the operation of the station were prepared and a notice of intention to regulate was issued in the Federal Register for December 7, 1948. Interested persons were given 30 days (later extended to 60 days) within which to submit written data, views, or arguments concerning the proposed regulations. The Department received many protests against the proposed use of the quarantine station. These protests came not only from well-recognized livestock associations but also from many State livestock sanitary officials and Members of both Houses of Congress. In general, the protests were against the use of the quarantine station to bring cattle, sheep, swine, or goats into the United States from countries where foot-and-mouth disease or rinderpest exists.

As such use is specifically provided for by the act of July 24, 1946, these protests must be regarded as being directed against the enabling legislation rather than against the form of the regulations which were adapted to the law as passed by the Congress.

Other comment favored such drastic revisions in the proposed regulations as to make the intended use of the quarantine station impracticable. A few correspondents favored issuance of the regulations as drawn.

The following recommendation received February 17, 1949, from the Department's Industry Advisory Committee on Foot-and-Mouth Disease is representative of much of the comment about the quarantine station:

"On July 24, 1946, there was approved Public Law 522, Seventy-ninth Congress. It provided for the installation of an animal quarantine station on Swan Island. Since this enactment, the serious livestock malady known as foot-and-mouth disease has broken out in Mexico and it has been necessary for the United States to assist Mexico with large appropriations, equipment, and manpower. It is generally believed that the disease invaded Mexico through a quarantine island off the coast of Mexico. There is no evidence to indicate that the well-being of our economy would suffer if we did not import animals from affected countries and there is every indication to lead us to believe that great disaster can rock our economy if we do import such animals and thereby permit an invasion of foot-and-mouth disease. The present Mexican situation should be sufficient warning of the ineffectiveness of a quarantine island. It is the recommendation of this com-

mittee that Public Law 522, Seventy-ninth Congress, be repealed. We also recommend that in the interest of economy the facilities on Swan Island be put into use by some agency of our Government needing such facilities."

The Department recommends clarification of the present situation through congressional action. Should Congress determine to repeal the joint resolution of July 24, 1946, which authorized the Swan Island quarantine station, disposition will need to be made of the temporary facilities erected there. They are on land leased at \$200 per annum. The lease terminates June 30, 1949, unless renewed prior to May 31, 1949. It provides that the facilities erected thereon may be removed at any time prior to termination. If the lease is terminated June 30, 1949, the facilities would obviously revert to the owner of the land unless removed prior to that time. It seems that there would be no difficulty in renewing the lease under general appropriation authority of the Bureau of Animal Industry if it is not desired to abandon the facilities but to hold the lease until June 30, 1950, in order that there may be opportunity for any Federal agencies desiring these facilities to take title to them and to move them from the island. This would involve expenses for care and maintenance until disposal.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with paragraph 2a of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows: Existing law proposed to be repealed is enclosed in brackets.

"ACT OF JULY 24, 1946 (60 STAT. 633; 21 U. S. C. 133)

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, [That the Secretary of Agriculture is authorized, in his discretion, to establish and maintain on Swan Island, either independently or in cooperation with other American Republics and with breeders' organizations and similar organizations and individuals within the United States, an international animal quarantine station, including the acquisition of sites by lease or otherwise, and the construction of temporary building, improvements, and other facilities on such sites, and notwithstanding the provisions of any other law but subject to regulations prescribed hereunder by the Secretary of Agriculture to prevent the introduction into the United States of communicable diseases of animals, animals may be brought into said quarantine station from any country, including but not limited to those countries in which the Secretary of Agriculture determines that rinderpest and foot-and-mouth disease exist, and may be subsequently imported into other parts of the United States under said regulations.]

"Approved July 24, 1946."

○

81ST CONGRESS
1ST SESSION

[Report No. 570]

Reported by Mr. THYE, without amendment

RALPH R. ROBERTS,
Clerk.

Calendar No. 567

81ST CONGRESS
1ST SESSION

H. R. 3717

[Report No. 570]

AN ACT

To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station.

MAY 3 (legislative day, April 11), 1949

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 27 (legislative day, June 2), 1949

Reported without amendment

existing contracts entered into pursuant to the act of July 13, 1946 (30 U. S. C., sec. 192), which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the numerals "1946", to strike out "(30 U. S. C., sec. 192)" and insert "(60 Stat. 533)"; on page 2, line 2, after the word "the", to strike out "refiner" and insert "refinery"; and on page 2, after line 4, to insert:

SEC. 3. The provisions of this act shall apply to all existing contracts for the purchase of Government royalty oil entered into after the approval of said act of July 13, 1946, and prior to the approval of this act, irrespective of whether a determination of preference status was made in connection with the award of such contracts, but shall not apply to any such contract which subsequent to its award has been transferred, through the acquisition of stock interests or other transactions, to the ownership or control of a refinery ineligible for a preference under said act of July 13, 1946, and the regulations in force thereunder at the time of such transfer.

SEC. 4. The Secretary of the Interior, upon application by any refiner holding a contract within the purview of this act, and upon a showing of cause satisfactory to the Secretary may, in his discretion, terminate any such contract in whole or in part.

SEC. 5. No provision of this act shall be construed as affecting the right of the Secretary of the Interior to cancel for cause any contract for the purchase of Government royalty oil in accordance with the terms thereof.

So as to make the bill read:

Be it enacted, etc., That in the interest of encouraging and assisting small-business enterprise in the oil-refining industry no premium payments now required to be made under existing contracts entered into pursuant to the act of July 13, 1946 (60 Stat. 533), to purchase Government royalty oil shall hereafter be paid.

SEC. 2. Any premium payments made under existing contracts between February 1, 1949, and the effective date of this act shall be credited to the account of the refinery making such payments and shall be applied in payment of Government royalty oil purchased under such contracts.

SEC. 3. The provisions of this act shall apply to all existing contracts for the purchase of Government royalty oil entered into after the approval of said act of July 13, 1946, and prior to the approval of this act, irrespective of whether a determination of preference status was made in connection with the award of such contracts, but shall not apply to any such contract which subsequent to its award has been transferred, through the acquisition of stock interests or other transactions, to the ownership or control of a refinery ineligible for a preference under said act of July 13, 1946, and the regulations in force thereunder at the time of such transfer.

SEC. 4. The Secretary of the Interior, upon application by any refiner holding a contract within the purview of this act, and upon a showing of cause satisfactory to the Secretary, may, in his discretion, terminate any such contract in whole or in part.

SEC. 5. No provision of this act shall be construed as affecting the right of the Secretary of the Interior to cancel for cause any contract for the purchase of Government royalty oil in accordance with the terms thereof.

Mr. O'MAHONEY. Mr. President, let me say that in 1946 a law was enacted to provide that small refiners not having

their own sources of crude petroleum should have a preferred right to purchase Government royalty oil at the market price. That was the understanding of the Committee on Public Lands, which recommended the passage of the bill.

However, in the administration of that law the royalty oil was sold at a premium, and in some instances it was sold for a period of 2 or 3 years. The passage of time and the drop in the price of crude oil have made some of these contracts very burdensome to the small nonintegrated refiners for whose benefit the law was enacted.

This amendment merely provides that those premiums shall be canceled. It provides, however, that if any such contract, let on a premium bid, has been assigned to any refiner who does not qualify as a small refiner, the forgiveness of the premium shall not operate.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I am interested in the Senator's use of the word "premium."

Mr. O'MAHONEY. That was a price above the market price.

Mr. AIKEN. But I understand that the royalty oils were put up for bids.

Mr. O'MAHONEY. That is correct.

Mr. AIKEN. I further understand that the small independent refiners and the cooperatives found themselves unable to get the royalty oil.

Mr. O'MAHONEY. Unless they bid up to the price the big fellows put on.

Mr. AIKEN. That is correct; and the big fellows would bid well above the market price, in order to keep the little fellows from getting the oil. Is that what the Senator from Wyoming means by his use of the word "premium"?

Mr. O'MAHONEY. That is what I mean by "premium."

Mr. AIKEN. In other words, more than the oil was worth on the market; is that the Senator's meaning?

Mr. O'MAHONEY. Well, it was a price that people were willing to pay at that time of great demand for crude oil.

Mr. AIKEN. To keep someone else from getting it?

Mr. O'MAHONEY. That is correct. In my judgment, it defeated the purpose of the original act.

Mr. AIKEN. Will this bill correct that situation, so that the small independents and the cooperatives really will have a chance to get the Government oil?

Mr. O'MAHONEY. Yes; the royalty oil, under the new procedure, under authority of the old act, will not be sold at a premium. This measure is for the relief of the small refiners who have made these very burdensome contracts.

Mr. AIKEN. Let me ask how the oil will be sold under the provisions of this measure.

Mr. O'MAHONEY. It will be sold under regulations issued by the Secretary of the Interior, which do not include premium prices.

Mr. AIKEN. Is the Senator from Wyoming very sure that the small independents and the farm cooperatives will have a chance to get some of this oil?

Mr. O'MAHONEY. Nothing in this bill has anything to do with future contracts, let me say. Future contracts will be let under the regulations which have been announced by the Secretary under the act of July 13, 1946.

This bill merely undertakes to relieve the small independent refiners from the payment of premiums which they were unable to pay. Enactment of the bill has been recommended by the Small Business Committee.

Mr. AIKEN. This bill will not have the effect, will it, of doing away with the premiums which the big companies were willing to pay, and still leaving the small fellows where they are now?

Mr. O'MAHONEY. The original act never called for a premium, and I think I have convinced the Secretary of the Interior that that is the fact, and that premium prices will not be called for in the future.

Mr. AIKEN. I expect and hope that the Senator from Wyoming will have better results than I was able to secure in convincing the Department of the Interior that the small people should have some royalty oil. That is what I hope.

If the Senator from Wyoming thinks this measure will not make the situation any worse and will not make the chances of the little fellow any worse, I shall have no objection to having the bill acted on at this time.

Mr. O'MAHONEY. The little fellows want this bill passed.

Mr. AIKEN. They are all little fellows when they want a bill passed, of course.

Mr. O'MAHONEY. They are named in the report, may I say to the Senator.

Mr. WHERRY. Mr. President, I should like to ask a question. Did the Senator from Wyoming say that the Small Business Committee wants this bill passed, or did he say that small-business men want the bill passed?

Mr. O'MAHONEY. I said the Small Business Committee, at the time, wanted such action taken. That occurred before the special committee ceased to have effect. This was partially a result of the findings of the Senate Small Business Committee of the Eightieth Congress.

Mr. WHERRY. That is correct.

Mr. O'MAHONEY. The Department of the Interior in October of 1948 discontinued the premium bid method of selling royalty oil, and adopted the lot drawing system.

Mr. WHERRY. I thank the Senator from Wyoming for that contribution. It is convincing evidence that we should have a Small Business Committee working every day in the Senate of the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to eliminate premium payments in the purchase of Government royalty oil under existing contracts entered into

pursuant to the act of July 13, 1946 (60 Stat. 533)."

TRANSFER TO ATTORNEY GENERAL OF CERTAIN LAND AT CHILLICOTHE, OHIO

The bill (S. 1859) to transfer from the Administrator of Veterans' Affairs to the Attorney General of the United States for the use of the Bureau of Prisons, a certain tract of land located at Chillicothe, Ohio, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the following-described tract of land containing approximately three hundred seventy-nine and one-tenth acres, more or less, including improvements, if any, now under control of the Administrator of Veterans' Affairs, is hereby transferred to the possession, control, and jurisdiction of the Attorney General of the United States for the use of the Bureau of Prisons:

A plot of ground being at the western boundary of the United States Veterans' Administration Hospital holdings in Ross County, Ohio, and starting at U. S. Monument 168 thence south seventy-eight degrees two minutes forty-four seconds west for a distance of six hundred seventy-four and thirty one-hundredths feet to U. S. Monument 169, thence south eighty-two degrees two minutes thirty-two seconds west for a distance of two thousand three hundred twenty-eight and three one-hundredths feet to U. S. Monument 175, thence north forty-two degrees fifty-six minutes thirty-six seconds west for a distance of one thousand nine hundred eighty and sixty-five one hundredths feet to U. S. Monument 178, thence north thirty-four degrees six minutes forty-three seconds east for a distance of one thousand seventy-seven and thirty-five one hundredths feet to U. S. Monument 180, thence north sixty-seven degrees ten minutes forty-two seconds west for a distance of six hundred and fourteen feet to U. S. Monument 182, thence north seventy-seven degrees fifty-seven minutes thirty-eight seconds east for a distance of one thousand three hundred twelve and seventy one hundredths feet to U. S. Monument 184, thence north ten degrees nineteen minutes thirty-two seconds west for a distance of eight hundred fifty-nine and six one-hundredths feet to U. S. Monument 186, thence north eleven degrees forty-eight minutes twenty-two seconds west for a distance of five hundred seventy and twenty-one one-hundredths feet to U. S. Monument 188, thence north eleven degrees twenty-one minutes fifty-eight seconds west for a distance of one thousand seven hundred seventy and eighty-seven one-hundredths feet to U. S. Monument 190, thence north sixty-eight degrees twenty-eight minutes fifty-two seconds east for a distance of two thousand four hundred fifty-one and eighty one-hundredths feet to U. S. Monument 193, thence on a bearing of north twelve degrees twelve minutes forty-seven seconds west in a southeasterly direction for approximately six thousand six hundred and thirteen feet to point of beginning, said tract now being occupied and used by the Federal Reformatory at Chillicothe, Ohio, and being a portion of the land described in a permit dated March 20, 1928, executed by Frank T. Hines, Director, United States Veterans' Bureau, in favor of the aforesaid Bureau of Prisons.

SEC. 2. The transfer provided for in this act shall be effected without reimbursement or transfer of funds.

BILL PASSED OVER

The bill (S. 1498) to amend the Natural Gas Act, approved June 21, 1938, as amended, was announced as next in order.

Mr. LANGER. Mr. President, I object, by request, to the consideration of this bill.

The PRESIDING OFFICER. The bill will be passed over.

TRANSFER OF CERTAIN VESSELS FROM RECONSTRUCTION FINANCE CORPORATION TO FISH AND WILDLIFE SERVICE

The bill (H. R. 4252) to transfer the trawlers *Alaska* and *Oregon* from the Reconstruction Finance Corporation to the Fish and Wildlife Service was considered, ordered to a third reading, read the third time, and passed.

PATENT IN FEE TO LEO FARWELL GLENN

The Senate proceeded to consider the bill (S. 520) to authorize and direct the Secretary of the Interior to issue to Leo Farwell Glenn, a Crow allottee, a patent in fee to certain lands, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 8, after the words "east half", to insert "east half west half west half east half"; and on page 2, line 2, after the word northwest", to strike out "quarter" and the comma, and insert "quarter", so as to make the bill read:

Be it enacted, etc., That upon application in writing, the Secretary of the Interior is authorized and directed to issue to Leo Farwell Glenn, Crow allottee No. 3234, a patent in fee to the following-described lands in the State of Montana: West half west half, section 26; east half east half, east half west half east half, east half west half west half east half section 27; north half northeast quarter, north half south half northeast quarter, section 34, township 3 south, range 27 east; and the west half southeast quarter section 30, west half northeast quarter, northwest quarter southeast quarter, lots 6, 7, and 8, section 31, township 4 south, range 27 east, Montana principal meridian, containing eight hundred and eighty acres.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SWAN ISLAND ANIMAL QUARANTINE STATION

The bill (H. R. 3717) to repeal the act of July 24, 1946, relating to the Swan Island Animal Quarantine Station, was considered, ordered to a third reading, read the third time, and passed.

MRS. LORRAINE MALONE

The Senate proceeded to consider the bill (S. 507), for the relief of Mrs. Lorraine Malone, which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the words "the sum of" to strike out "\$3,500" and insert "\$2,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lorraine Malone, of Gallup, McKinley County, N. Mex., the sum of \$2,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her as a result of a collision, approximately 4 miles east of Safford, Graham County, Ariz., on November 13, 1944, between an automobile driven by her and a United States Army truck, which had been parked in the nighttime on the pavement of United States Highway No. 70: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof

shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. McCARRAN. Mr. President, in the bill as printed there is a typographical error. It will be noted from the report of the committee that the committee recommended payment of \$2,000. The bill calls for \$3,500. It should read "\$2,000." The committee amendment was not printed in the bill.

I understand that the Senator from New Mexico [Mr. CHAVEZ] wishes to offer an amendment to the committee amendment.

Mr. CHAVEZ. Mr. President, as the bill was reported by the committee it would provide for a payment of \$2,000 to this good lady for her injuries. My amendment is to strike out "\$2,000" and insert in lieu thereof "\$5,000."

My amendment is based upon the merits of the case itself. I ask Senators to follow closely this explanation.

Mrs. Malone is a lady from the State of New Mexico. She was injured through the negligence of a soldier of the United States Army. On page 2 of the report of the committee headed by the Senator from Nevada [Mr. McCARRAN] we find the following language:

The War Department found the facts to be that the "sole proximate cause of the collision was the negligence of the Army driver" and that "the evidence does not establish that the claimant was guilty of negligence which caused or contributed to the collision."

The committee believe that Mrs. Malone is entitled to recover for her injuries, and the only question remaining is the amount that should properly be allowed to her.

Her injuries consisted of (in addition to shock) the following:

(a) Fractured dislocated right ankle, with a laceration over the lateral malleolus. Both the medial and lateral malleoli were fractured, necessitating the application of a plaster-of-paris cast. The report of the War Department indicates that over an extended period of time different casts were applied, and some 3 months after the accident she was permitted "to use one crutch and start walking on level ground." According to the statement of Dr. Brayton, as late as January 1949—

This happened in 1944—

it is stated that a ganglion has occurred on the bottom of Mrs. Malone's foot, caused by her foot and leg having been placed in a plaster-of-paris cast, and that "this ganglion will cause pain and inconvenience in walking until removed."

(b) Dislocations of the second and third ribs, causing pain in the right shoulder and chest.

(c) Deep cut on forehead, "involving all of the layers of the scalp down to the periosteum extending from the lateral margin of the left eyebrow, across the forehead an inch and a half above the right eyebrow, approximately 4 inches."

In addition to the seriousness of this injury (by reason of its location) and the extreme pain and suffering that necessarily accompanied it, she has been terribly disfigured. A scar of 4 inches in length immediately above her eyebrow lines crosses most of her forehead. There is in the files of the committee a picture of Mrs. Malone showing how prominent the scar appears.

[PUBLIC LAW 166—81ST CONGRESS]

[CHAPTER 307—1ST SESSION]

[H. R. 3717]

AN ACT

To repeal the Act of July 24, 1946, relating to the Swan Island Animal Quarantine Station.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of July 24, 1946 (60 Stat. 633), authorizing the Secretary of Agriculture to establish and maintain on Swan Island an international animal quarantine station, is hereby repealed.

Approved July 13, 1949.

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